

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEMONTREY ANDRE CUNNINGHAM,

Plaintiff,

v.

RAMON PABON, et al.

Defendants.

Case No. 1:20-cv-00862-EPG (PC)

ORDER DENYING MOTION TO PROCEED  
IN FORMA PAUPERIS AS MOOT

(ECF No. 8)

Plaintiff, Demontrey Andre Cunningham, is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On June 23, 2020, plaintiff filed an application to proceed *in forma pauperis* (“IFP”). (ECF No. 2.) Because the IFP application did not include a certification regarding Plaintiff’s trust account statement, the Court directed the California Department of Corrections and Rehabilitation (“CDCR”) to submit a certified prison trust account statement to the Court. (ECF No. 3.) A certified prison trust account statement was filed on June 23, 2020 (ECF No. 6), and on June 24, 2020, the Court entered an order granting Plaintiff’s IFP application (ECF No. 7).

On June 25, 2020, Plaintiff filed a second IFP application, this time with the certification portion of the application completed. (ECF No. 8.) While the Court appreciates that Plaintiff has now provided the Court with a fully completed application, in light of the Court’s order granting

1 IFP status based on Plaintiff's first IFP application and the certified trust account statement filed  
2 on June 23, 2020, the Court will deny Plaintiff's second IFP application as moot.

3 IT IS HEREBY ORDERED that plaintiff's second IFP application, filed June 25, 2020  
4 (ECF No. 8), is DENIED as moot.

5  
6 IT IS SO ORDERED.

7 Dated: June 29, 2020

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE